

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 16-MJ-58-SLC

ADRIAN JAIMES,

Madison, Wisconsin

June 14, 2016

Defendant.

3:00 p.m.

* * * * *

STENOGRAPHIC TRANSCRIPT OF **AUDIO RECORDING**
DETENTION HEARING
HELD BEFORE THE HONORABLE STEPHEN L. CROCKER,

APPEARANCES:

For the Plaintiff:

Office of the United States Attorney
BY: ELIZABETH ALTMAN
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Madison, Wisconsin 53703

For the Defendant:

Federal Defender Services of Wisconsin
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BY: PETER MOYERS
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Also appearing:

Adrian Jaimes - defendant
Ryan Plender - US Probation Officer

Lynette Swenson RMR, CRR, CRC
U.S. District Court Federal Reporter
United States District Court
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I-N-D-E-X

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(Proceedings called to order.)

THE CLERK: Case Number 16-MJ-58-SLC. *United States of America v. Adrian Jaimes*. Court is called for a detention hearing. May we have the appearances, please.

MS. ALTMAN: Good afternoon, Your Honor. The United States appears by Elizabeth Altman.

MR. MOYERS: Peter Moyers from Federal Defender Services and seated here to my right is Mr. Jaimes.

THE COURT: All right. Mr. Jaimes, good afternoon to you.

THE DEFENDANT: Good afternoon.

THE COURT: Thank you. Mr. Moyers, Ms. Altman, good afternoon to both of you. We also have Mr. Plender here on behalf of Pretrial Services. Good afternoon.

AGENT: Good afternoon, Your Honor.

THE COURT: Thank you. All right. We're here for a hearing on Mr. Jaimes's motion for release on

1 conditions made orally at the initial appearance. I've
2 received and read the Pretrial Service report, and
3 Mr. Moyers, I just want to confirm with you and I'm
4 checking the docket, you did not file any sort of a
5 written release plan; correct?

6 MR. MOYERS: That's correct, Your Honor.

7 THE COURT: Okay. Did you want to proceed
8 orally this afternoon?

9 MR. MOYERS: Yes, I would.

10 THE COURT: Okay. Let's just confirm, have you
11 had a chance to look at the Pretrial Service report and
12 talk to Mr. Jaimes about it?

13 MR. MOYERS: Yes. I've had a chance and we
14 discussed it.

15 THE COURT: Okay. Fair enough. Ms. Altman, I
16 presume you've read it as well?

17 MS. ALTMAN: Yes, Your Honor.

18 THE COURT: Okay. And again, simply to make the
19 record, Mr. Moyers, we talked about this briefly at the
20 initial appearance. Did you want a probable cause
21 finding by the Court or are you willing to concede
22 probable cause for the purpose of today's hearing?

23 MR. MOYERS: We're not asking you to dismiss the
24 Complaint, but we would like to talk about the evidence
25 in the case and the Complaint vis-a-vis detention.

1 THE COURT: Understood. But let's be clear,
2 you're certainly entitled to do that and the Court would
3 welcome that, but on a finding of probable cause based on
4 the Complaint, then the burden under the Bail Reform Act
5 is on Mr. Jaimes through counsel to prove that he's
6 neither a flight risk nor a danger and I assume from what
7 you're telling me that you accept that finding.

8 MR. MOYERS: Yes. That that would be our
9 burden?

10 THE COURT: Correct. That's all I'm saying.

11 MR. MOYERS: Yep. That's correct, Your Honor.

12 THE COURT: Very well. Then let's proceed.
13 Mr. Moyers, how would you like to present your plan?

14 MR. MOYERS: I guess first things first. I'll
15 go through -- we'll go through the evidence or at least
16 the affidavit and then we'll move on to the Pretrial
17 Services report --

18 THE COURT: As you wish.

19 MR. MOYERS: -- with -- as a matter of probable
20 cause or evidence here, I would point out that the
21 affidavit attached to the Complaint doesn't really get us
22 to probable cause.

23 THE COURT: Mr. Moyers, let me stop you there.
24 We're not going to start at the beginning. If and when
25 you ever want to file a motion to suppress or to quash a

1 warrant, that would be the appropriate time. According
2 to the Pretrial Service report, Mr. Jaimes admitted that
3 he had done this, admitted that there were multiple
4 victims, and they found over 100 pictures of minor
5 victims on his computer. That's the starting point.

6 MR. MOYERS: So the Court is not interested in
7 whether the affidavit was sufficient to issue the
8 Complaint in the first place?

9 THE COURT: Exactly right. Exactly right.
10 Please continue.

11 MR. MOYERS: Okay. Well, in that case, Your
12 Honor, with the Pretrial Services report, what we have
13 here is, as I understand it, the probation office thinks
14 they can mitigate the risk of flight. So what we're
15 really focused on here is dangerousness and our position
16 is that the reasoning of the Pretrial Services report
17 isn't terrific. First of all, it proves too much.
18 Basically the upshot of what they're saying is well,
19 given -- here I'm reading from page three, this is Docket
20 No. 4, "Assessment of Danger. Given the ubiquity of
21 mobile devices with access to the internet and the
22 difficulty inherent in monitoring those devices, there is
23 a significant risk that the defendant could continue the
24 behavior alleged in the complaint undetected." That's
25 going to apply to anybody who uses a mobile device,

1 tablet to engage -- to transmit contraband or images of
2 child pornography or videos over the internet.

3 And I would point out that this same argument would
4 apply to almost anything else. For instance, given the
5 ubiquity of guns and the difficulty inherent in
6 monitoring all those guns, there's a significant risk
7 that the defendant could continue the behavior alleged in
8 the complaint undetected. Or given the ubiquity of banks
9 and the difficulty inherent in monitoring all those
10 banks, there's a significant risk that the defendant
11 could continue to rob banks as alleged in the complaint.

12 THE COURT: Well, I understand the rhetorical
13 device of *reductio ad absurdum*, but it's a *nonsequitur*
14 here. The ubiquity of electronic devices is palpable and
15 the question is not is that an incorrect statement,
16 because it is a correct statement. The question is how
17 do we account for that risk here.

18 MR. MOYERS: Well, I think that you can tailor a
19 number of conditions. First of all, you can forbid him
20 from using anything connected to the internet. That's
21 the first condition.

22 Second of all, we can have -- and I'm going to ask
23 his parents to come up and testify to tell you that they
24 would be willing and motivated to report to Mr. Plender
25 if they ever saw him with any device. As their testimony

1 will show when I have them come up here, Mr. Jaimes works
2 with his father at the same -- for the same employer.
3 His dad is the head chef at the Bull's Eye Country Club.
4 Mr. Jaimes is a server and bartender.

5 Now, his mother was working until recently, but she
6 was laid off from Head Start in Wood County. So she's
7 home a lot of the time now. The point being is that
8 there are going to be people around him a lot. It's not
9 as if we're sending him to some home on his own where
10 we'll just have to -- you know, where we'll just have to
11 rely on a rule like don't use the internet. Here there
12 will be people looking at him all the time.

13 Second of all, you can impose a house arrest or a
14 curfew or just locations that he can go to to make sure
15 that he's not around anything where he would have access
16 to the internet. And if he's just working or at home and
17 you can take the internet out of the home, then we've got
18 a lot of -- then he would have to go through some sort of
19 Herculean effort to get to the internet without his
20 parents knowing to commit this crime. And I think there
21 we've minimized it about as far as we can. Now,
22 whether -- the reason that should be sufficient is look,
23 he's got no other criminal history before. It's not like
24 he's been engaging in criminal behavior all of his life.

25 Second of all, I don't have any evidence yet, at

1 least from the government, that he's -- that there are
2 any sort of other offenses or related sexual or contact
3 offenses that would pose other kinds of problems.

4 THE COURT: And let me just make sure I'm
5 tracking here.

6 MR. MOYERS: Yeah.

7 THE COURT: The Complaint is limited to the one
8 known victim.

9 MR. MOYERS: Yes.

10 THE COURT: According to the Pretrial Service
11 report, and the Court doesn't get the reports and I'm not
12 sure if you've seen them yet either, but apparently
13 Mr. Jaimes admitted that there were five or six other
14 victims and apparently there's images of five other
15 victims. So when you tell me there's no evidence of
16 other conduct, are you excluding this or are you
17 including that?

18 MR. MOYERS: No hands-on contact. So maybe that
19 was unclear.

20 THE COURT: It was. Okay.

21 MR. MOYERS: Okay. Yeah. There's no other
22 hands-on contact. But yeah, I take it that the Court
23 understands that they -- that according to the -- he said
24 five or six more. They found four additional more in the
25 online drop box is my understanding. So it's a total of

1 five over the period. Frankly one or five, I don't think
2 that changes the dangerousness calculation. Maybe a
3 little for multiple victims, but I think it's the
4 behavior itself that the Court has to assess. And look,
5 if we take the internet out of the house, we give him
6 house arrest, we have his -- you know, we have, you know,
7 just a blanket bright-line rule no using any device that
8 connects to the internet, we've minimized substantially,
9 I would argue, the idea that he'll go out and reoffend.
10 So if the Court would like or I don't know if the Court
11 wants to hear from Ms. Altman first, but I'd like to call
12 his parents to testify.

13 THE COURT: Well, certainly that's your
14 prerogative. Of course you're welcome to do that. What
15 I'd like you to do is present your entire argument for
16 release first and, of course, Ms. Altman will get a
17 chance to cross-examine if she chooses to. And I'll let
18 Mr. Plender ask nonleading -- well, he can ask whatever
19 questions he wants on behalf of Pretrial Services. But
20 then once you're completely done with your testimony and
21 any additional argument you'd like to make, then I'll
22 give the floor to Ms. Altman.

23 MR. MOYERS: Understood. Then I'll call them
24 now.

25 THE COURT: Please do.

1 MR. MOYERS: We'd call Ruth Jaimes to the stand.

2 RUTH JAIMES, DEFENDANT'S WITNESS, SWORN,

3 DIRECT EXAMINATION

4 BY MR. MOYERS:

5 Q Would you please state your name for the court and
6 spell your last.

7 A Ruth Jaimes. J-a-i-m-e-s.

8 Q And you're Adrian Jaimes's -- the defendant's
9 mother; is that correct?

10 A Yes, I am.

11 Q And you live with him in Nekoosa?

12 A Yes.

13 Q Has he lived with you all of his life?

14 A Yes.

15 Q And how long have you lived in that house in
16 Nekoosa?

17 A Little over ten years.

18 Q And you're aware of what he's been charged with; is
19 that correct?

20 A Yes.

21 Q And you understand that the minimum penalty is 15
22 years?

23 A Yes, I'm aware.

24 Q And that the maximum would be 30 years.

25 A Yes.

1 Q Now, do you -- are you also aware that if he were
2 able to get out on pretrial release and committed another
3 crime, that there would be additional penalties?

4 A Yes, I am aware. I wouldn't allow that to happen.

5 Q All right. You love your son, don't you?

6 A Yes, very much.

7 Q But would you lie to Mr. Plender or any officer of
8 the court to help him?

9 A No, I wouldn't.

10 Q Why not?

11 A Because I wouldn't want to get myself in trouble and
12 he shouldn't make another mistake.

13 Q Would you be willing to remove the internet from
14 your home?

15 A Yes. It's in my name and I will disconnect it in a
16 half hour if I could or if I have to.

17 Q And would you be willing to call Mr. Plender or any
18 court officer if you saw your son on any internet- --

19 A Yes I would.

20 Q -- capable device? And so can you look the judge in
21 the eye and tell him that you would be willing to do
22 whatever it -- whatever was necessary, including report
23 him to Mr. Plender --

24 A Yes.

25 Q -- if you had to?

1 A I would do anything. Anything.

2 THE COURT: And Mr. Moyers, whenever a mother or
3 father tells me these things, I always believe them.
4 Okay? So we don't really need to establish that. Let's
5 descend into the specifics if you've got them.

6 BY MR. MOYERS:

7 Q You've been laid off; is that correct?

8 A Yes.

9 Q And you're home most of the day?

10 A Yes.

11 Q You have two other daughters in the house?

12 A Yes.

13 Q How old are they?

14 A 22 and 14.

15 Q And is the 14-year-old still in school?

16 A Yeah. Well, she's out for the summer, but yes.

17 Q So you're at home for most of the day?

18 A Yes, I am. I haven't been going nowhere. I don't
19 normally do.

20 Q And you sleep there at night?

21 A Yes.

22 MR. MOYERS: No further questions.

23 THE COURT: Ms. Altman, did you have any
24 questions?

25 MS. ALTMAN: No. Thank you.

1 THE COURT: Mr. Plender?

2 AGENT: No, Your Honor.

3 THE COURT: Okay. Ms. Jaimes, I don't either.
4 So you're done. Thank you. Did you want to call the
5 father?

6 MR. MOYERS: Just for the employment part.

7 THE COURT: As you wish.

8 (Witness excused.)

9 MR. MOYERS: We will call Catalino Jaimes.

10 **CATALINO JAIMES, DEFENDANT'S WITNESS, SWORN,**

11 DIRECT EXAMINATION

12 BY MR. MOYERS:

13 Q Please state your name and spell your last for the
14 court.

15 A My name is Catalino Jaimes. J-a-i-m-e-s.

16 Q Mr. Jaimes, where are you employed?

17 A Bull's Eye Country Club.

18 Q And where is the Bull's Eye Country Club?

19 A In Wisconsin Rapids.

20 Q About how far is that from your home?

21 A Seven, eight minutes.

22 Q And does your son, Adrian Jaimes, work there as
23 well?

24 A Yes.

25 Q And what does he do?

1 A He's a server and a bartender.

2 Q Do you see him when you --

3 A All the time.

4 Q Let me finish.

5 A Sorry.

6 Q Do you see him at work?

7 A Yeah.

8 Q And do you go to work every day?

9 A Five, six days a week, sometimes seven depending on
10 how busy we are for the summer.

11 Q And how many days a week or hours per week does your
12 son work?

13 A At the moment anywhere from 30 to 35. Again,
14 sometimes five days a week, up to 45 to 50 depending on
15 the week.

16 Q And what part of the day do you usually work?

17 A I work 9 to 5 normally. Or when we have parties on
18 the weekend it can go up to 8, 9, 10 o'clock at night.

19 Q And when does -- when does Adrian typically work?

20 A He works lunch hours or dinner hours.

21 Q And I'll just ask would you be willing to report any
22 violation of any condition to Mr. Plender or any court
23 officer --

24 A Yes.

25 Q -- if he broke it?

1 A Yes.

2 MR. MOYERS: No further questions.

3 THE COURT: Ms. Altman, any questions?

4 MS. ALTMAN: No, Your Honor. Thank you.

5 THE COURT: Mr. Plender.

6 AGENT: No, Your Honor.

7 THE COURT: I don't either. Mr. Jaimes, thank
8 you. You may resume your seat as well.

9 (Witness excused at 3:19 p.m.)

10 THE COURT: Mr. Moyers, do you have other
11 witnesses you wanted to present?

12 MR. MOYERS: No, Your Honor.

13 THE COURT: Do you have any additional argument
14 at this time before we hear from the government.

15 MR. MOYERS: Just a little bit to make it very
16 clear because I want to focus in. The conditions we're
17 proposing is, of course, the standard ones that we would
18 have in any case like this. But that they would get the
19 internet -- they would remove the internet from the
20 house; that there's just a complete ban on any device,
21 whether or not it is hooked up to the internet, that he
22 can't be using it. I don't even want him even internet
23 capable. And we would suggest some sort of curfew or
24 house arrest to keep him at either work or at home or
25 religious services, if any, or to see me.

1 With that kind of lockdown, I think the Court can
2 have more than enough confidence that the risk here has
3 been mitigated.

4 THE COURT: All right. Well, thank you for your
5 input. Ms. Altman, your input, please.

6 MS. ALTMAN: Yes, Your Honor. Thank you. I'll
7 just start out by saying I have no doubt about the
8 defendant's parents' wishes and I don't doubt that they
9 want what's best for their son and that they would call
10 Mr. Plender or the Court if they saw a violation. That,
11 however, in this particular case just simply is not
12 enough.

13 First of all, with regard to the nonappearance, I
14 understand that the Court thinks that it could or that
15 probation thinks that it could be mitigated. This is a
16 15-year mandatory minimum and a 21-year-old kid. I think
17 he's got a pretty good incentive to not show up. Are
18 there some things that could mitigate that? Sure. GPS.
19 But if someone were to cut the GPS and make a run for it,
20 we simply know the last place they were.

21 That, of course, is not the primary consideration,
22 the primary issue that he should be detained, and that
23 is, of course, the danger to the community based on his
24 offense, and then I'll talk about why the plan doesn't
25 mitigate it.

1 As the Court has already mentioned and everybody is
2 aware, there are several victims in this case, not just
3 the one that started the investigation. The agents found
4 at least four other boys' images contained within a
5 folder labeled *Kix vids*. We know he's on Kix looking for
6 other victims. There were images of our known victim
7 from the complaint and the search warrant in there. And
8 I can't tell you that they are all child pornography. It
9 says the video -- the folder contains 157 images with
10 them being faces, behinds and genitals. So of those,
11 they're obviously not all going to qualify as child
12 pornography. But that does not negate the fact that
13 there are five child victims of this defendant.

14 As the Court may recall from the search warrant,
15 this defendant did not take no for an answer very easily.
16 He was very persistent in his communications with the
17 victim in this case. The victim saying no, I don't want
18 to send you any more pictures and the defendant saying
19 please. One more. One last one. You'd make me the
20 happiest girl on earth. The child says gosh, is that a
21 little hard core. And the defendant says please, because
22 you like me. And at the point when the child in this
23 case ended the contact, that was not enough for the
24 defendant. He then took on a different persona to
25 continue to encourage the child in this case to continue

1 sending pictures to him. So he doesn't really take no
2 for an answer. I'm not sure that he's going to take what
3 this Court says as an answer either.

4 Ultimately, in addition to the danger, the problem
5 is the plan. I understand the parents are going to be
6 around him a lot, but I disagree with defense counsel
7 that it's going to take a Herculean effort for him to
8 violate a court order and to get back online, back on
9 Kix, back in communication with these children. You can
10 stop by a Best Buy and buy a prepaid phone on your way
11 home from work and you're back in business.

12 The defendant essentially proposes to continue his
13 regular routine, albeit with some house arrest or staying
14 home after dinner, but that still puts him in a country
15 club, outside of his parents' view. The dad, I believe,
16 testified that he worked until 5 and defendant is there
17 dinner hours, so he's there without his father often or
18 at least occasionally. And even when his father is
19 there, his father is busy in the kitchen. I'm certain
20 he's not seeing all of the interactions that the
21 defendant is having with citizens, with people, with
22 someone who could bring him a phone, with children in the
23 country club that he could make contact with or befriend.
24 I just don't see this plan at all being feasible based on
25 its -- I don't want to say laxity, but sort of laxity,

1 and the crimes itself show that he is a danger to the
2 community, crimes themselves, I guess.

3 THE COURT: All right. Thank you. Mr. Plender,
4 your report I think speaks for itself. Did you want to
5 add anything in light of what you've heard so far from
6 Mr. Moyers or Ms. Altman?

7 AGENT: No, Your Honor. Nothing has changed our
8 recommendation at all.

9 THE COURT: Okay. Thank you. Well, Mr. Moyers,
10 then I'll let you reply before I give you a ruling.
11 Anything else you'd like to offer in reply to the
12 government's response to your plan?

13 MR. MOYERS: Just two items, Your Honor. The
14 first is to the extent the Court is going to rely on a
15 search warrant that it may or may not have signed in that
16 affidavit that I haven't seen --

17 THE COURT: You haven't seen the affidavit yet?

18 MR. MOYERS: For the search warrant?

19 THE COURT: Yeah.

20 MR. MOYERS: No.

21 MS. ALTMAN: I thought you had it last week.

22 THE COURT: You should have gotten it at the
23 initial appearance.

24 MR. MOYERS: I got a search warrant. I did not
25 get an affidavit.

1 THE COURT: Okay. What were you going to run me
2 through then when I cut you off and said that we're not
3 dealing with probable cause? The Complaint?

4 MR. MOYERS: I thought I was going to go through
5 the Complaint --

6 THE COURT: Okay.

7 MR. MOYERS: -- and the arrest warrant.

8 THE COURT: Okay. Well, they're very similar.

9 MR. MOYERS: I gathered they might be.

10 THE COURT: Well, certainly you're entitled to
11 that. But in any event, let's keep going today.

12 MR. MOYERS: And look, I don't know. I can't
13 tell you. But if there are further facts about how he
14 wouldn't take no for an answer or about his conduct here,
15 I don't think the Court should rely on it certainly until
16 I've seen it.

17 And second of all, to describe this plan as lax I
18 think is too much. I think what the -- we -- the focus
19 of what the Court would be struggling with here is given
20 the gravity of this kind of crime and that there are just
21 internet devices, ready-internet devices are easy to
22 purchase, I wouldn't call them inexpensive, but it can be
23 done, whether or not there's just -- there are conditions
24 the Court can design or that are practically realizable.
25 And I think what we've got here is the sort of scenarios

1 that the government is suggesting of now sneaking out, I
2 don't know, between tables at work or stopping by, you
3 know, Best Buy when he's on GPS monitoring. You could
4 even say that his mom or dad has to drive him to and from
5 work. That's minimizing it and I mean it's restricting
6 his -- restricting his movement and even just generally
7 his, like his behavior, his conduct, what he can actually
8 do to such a degree that the Court should have tons of
9 confidence that the risk here has been minimized.

10 THE COURT: All right. Well, thank you for your
11 input, Mr. Moyers. And you've done the best job you can
12 with what you've got so far. I'm not going to release
13 Mr. Jaimes today and I'll explain my thought process
14 momentarily. But I want to make clear that this is
15 subject to reconsideration as more information becomes
16 available to everybody: To you, to the government, and
17 to Pretrial Services. And I don't know, it may go the
18 other direction. It may be that we learn more things
19 that make Mr. Jaimes even more of a risk for release, but
20 at least hypothetically there could be a plan. But this
21 isn't it.

22 So let's back up a bit. The Court often describes
23 releasing a defendant on a plan as a two-way street.
24 You've got to have a good plan, but you also have to have
25 a defendant whom the Court trusts enough to follow the

1 plan. We don't know enough about Mr. Jaimes, Mr. Adrian
2 Jaimes, for the Court to do that. Right now he's a syper
3 to the court. He's 21 years old. He's presumed innocent
4 of the charges. There hasn't even been an Indictment
5 yet. But for the purposes of probable cause and based on
6 the information in the Complaint, it appears that
7 Mr. Jaimes engaged in very calculated, manipulative
8 behavior. I think devious is not too strong a word;
9 pretending to be two different people in order to
10 triangulate his victim, both the brother and the sister
11 who each would wheedle and cajole the victim to send more
12 pictures. That's very manipulative. That's very clever
13 in an evil way. So what makes him tick? What makes the
14 Court think that he wouldn't manipulate or be devious or
15 try to wheedle his way out of conditions or keep doing
16 what he's doing?

17 Following at that same path a little bit further, we
18 don't know the depth of his need or wish to look at
19 pictures of prepubescent boys. Apparently, and again
20 he's presumed innocent of charges and certainly there's
21 no complaint or Indictment charging any of these other
22 victims, but apparently he collects the pictures. He's
23 got over 100 images, not all of which would qualify as
24 child pornography, but it's not enough to have one. He's
25 very similar to a defendant named Thomas Valley who was

1 in this court who took on false personae to wheedle his
2 victims into sending him naked pictures. Again, a man
3 who had ultimately what were found by a professional to
4 be very serious psychological problems.

5 So a prerequisite for the Court to consider
6 releasing Mr. Jaimes would be an evaluation by a trained
7 professional. What are we dealing with here? Who is
8 Adrian Jaimes? Can we trust him? What sorts of
9 sociological or psychological problems are we dealing
10 with here? Now, Mr. Jaimes doesn't have to submit to
11 that. He's got a right to say no. But he's not getting
12 out until the Court has some trained professional tell us
13 can we trust him or not. Are there personality
14 disorders, other psychological problems or something that
15 either can or cannot be addressed? That's the first
16 step.

17 If we get there from here, and the Court is willing
18 to countenance the fact that we will, we have to have a
19 tighter plan. I'll invoke Mr. Huartt. He was in a
20 halfway house. Somehow he got access to a contraband
21 cell phone and was looking at pornography on a cell phone
22 in a halfway house under the tightest possible
23 restrictions. He was in lockdown and yet he still got
24 access to somebody's phone. It happens all the time.
25 You'd like to think it can't, you'd like to think it

1 doesn't, but I don't think Ms. Altman is out of line by
2 saying that burner phones are easy to get.

3 If you're working in a bar at a country club, you
4 can borrow someone's phone to call home and next thing
5 you know you've dialed up an internet site. We would
6 have to account for things that tightly here because we
7 just don't know what Mr. Adrian Jaimes would want to do
8 or is capable of doing and we would have to account for
9 all of that.

10 Like the government, I very much trust his parents.
11 I think that they are very well intentioned and I trust
12 them to do whatever they need to do. But today's concern
13 is the Court doesn't know what we need them to do. We
14 need to find out. We need to find out more about what's
15 going on here and what's making their son do the things
16 he's alleged to have done. Because I'm also going to
17 assume they had no idea that this was happening, that
18 this is a complete shock and a mystery to them. And I
19 don't hold that against them, but we have to deal with
20 the reality that confronts all of us today. Okay?

21 So I'm going to grant the government's motion. The
22 presumption has not been rebutted today. I'll leave the
23 door open. I'm not going to set deadlines on anything.
24 Mr. Moyers, if you want to follow this path a little bit
25 further, you can talk to Pretrial Services. If you want

1 to get your own psych eval for whatever purpose, that's
2 your prerogative. You've got resources. But just keep
3 the Court in the loop if you want the Court to do
4 anything. But today the answer is no, Mr. Jaimes is
5 staying in custody. Okay?

6 That's all I've got. Mr. Moyers, anything else
7 today before we adjourn?

8 MR. MOYERS: No, Your Honor.

9 THE COURT: Anything else on behalf of the
10 government?

11 MS. ALTMAN: No, Your Honor. Thank you.

12 THE COURT: Anything else on behalf of Pretrial?

13 AGENT: No, Your Honor. Thank you.

14 THE COURT: Then we're done for today. Thank
15 you all.

16 (Proceedings concluded at 3:33 p.m.)

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1 I, LYNETTE SWENSON, Certified Realtime and Merit
2 Reporter in and for the State of Wisconsin, certify that
3 the foregoing is a true and accurate transcription of the
4 audio recording of the proceedings held on the 14th day
5 of June 2016 before the Honorable Stephen L. Crocker,
6 Magistrate Judge for the Western District of Wisconsin.
7 Dated this 23rd day of June 2016.

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10
11 _____/s/_____

12 Lynette Swenson, RMR, CRR, CRC
13 Federal Court Reporter
14
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17 apply to any reproduction of the same by any means unless
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